



# California Fair Political Practices Commission

July 14, 1989

Bruce W. Robeck  
Paralegal/Administrator  
Political Reports Unit  
Nielsen, Mersksamer, Hodgson,  
Parrinello & Mueller  
770 L Street  
Suite 800  
Sacramento, CA 95814

Re: Your Request for Advice  
Our File No. A-89-360

Dear Mr. Robeck:

This is to confirm the telephone advice given to you concerning the Political Reform Act<sup>1/</sup> by this office on June 9, 1989 and June 12, 1989.

Specifically, we advised the following:

- (1) Contribution limitations for the fiscal year 1988-1989 (July 1, 1989 through June 30, 1989) apply only to contributions received or contributions given from January 1, 1989 through June 30, 1989.
- (2) Fiscal year cumulations shown on campaign disclosure statements for the period January 1, 1989 through June 30, 1989 must include only those contributions which were received from January 1, 1989 through June 30, 1989.
- (3) For purposes of the 1988-1989 fiscal year contribution limitations, contributions to a candidate or officeholder which were made by a recipient committee prior to January 1, 1989 are not cumulated with contributions to the same person by the same committee during the period January 1, 1989 through June 30, 1989. The answer is the same even if the candidate who received the

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<sup>1/</sup> Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

funds has brought forward segregated 1988 funds which include contributions from the same contributor.

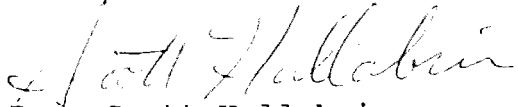
(4) The committee receiving a contribution does not have to determine if the contributor's sources of funds are in conformity with the contribution limitations of Government Code Sections 85301 through 85305.

Our advice is based primarily upon Commission Regulation 18500 (copy enclosed) which essentially states that, for purposes of the contribution limits set forth in the Act, the 1988-1989 fiscal year commences on January 1, 1989 and ends on June 30, 1989.

Should you have any additional questions, please contact me at (916) 322-5901.

Sincerely,

Kathryn E. Donovan  
General Counsel

  
By: Scott Hallabrin  
Counsel, Legal Division

KED:SH:ld

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NIELSEN, MERKSAMER, HODGSON, PARRINELLO & MUELLER

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770 L STREET, SUITE 800

SACRAMENTO, CALIFORNIA 95814

TELEPHONE (916) 446-6752

SAN FRANCISCO

650 CALIFORNIA STREET, SUITE 2650  
SAN FRANCISCO, CALIFORNIA 94108  
TELEPHONE (415) 989-6800

FILE NUMBER

June 12, 1989

Ms. Jeanne Pritchard  
Chief, Technical Assistance  
and Analysis Division  
Fair Political Practices Division  
428 J Street, Suite 800  
Sacramento, CA 95814

Dear Jeanne:

This letter is to confirm in writing my understanding of the telephone advice you provided to me on Friday, June 9, 1989, and Carla Wardlow provided to me on Friday, June 9, 1989, and Scott Hallabrin provided to Judy Davis, Charles Bell and myself on Monday, June 12, 1989. The client on whose behalf the questions are asked is the California Medical Association PAC.

QUESTIONS

1) Are contribution limitations for the fiscal year 1988-89 (July 1, 1988 through June 30, 1989) applied only to contributions received or contributions given from January 1, 1989 through June 30, 1989?

2) For reporting purposes for the campaign disclosure statements for the period January 1, 1989 through June 30, 1989, are the fiscal year cumulations to include only contributions which were received from January 1, 1989 through June 30, 1989?

3) Are contributions to a candidate or officeholder which were made by a recipient committee prior to January 1, 1989 cumulated for purposes of fiscal year 1988-1989 contribution limitations with any contributions to the same candidate or officeholder by the same recipient committee during the period January 1, 1989 through June 30, 1989? Is the answer the same even if the candidate who received the funds has brought forward segregated 1988 funds which include contributions from the same contributor?

4) Must the committee which receive a contribution determine if the contributors' sources of funds are in conformity to the contribution limitations of Government Code Sections 85301-85305?

### SUMMARY OF ADVICE

1) Contribution limitations for the fiscal year 1988-1989 (July 1, 1989 through June 30, 1989) apply only to contributions received or contributions given from January 1, 1989 through June 30, 1989.

2) For reporting purposes for the campaign disclosure statements for the period January 1, 1989 through June 30, 1989, the fiscal year cumulations include only contributions which were received from January 1, 1989 through June 30, 1989.

3) Contributions to a candidate or officeholder which were made by a recipient committee prior to January 1, 1989 are not cumulated for purposes of fiscal year 1988-1989 contribution limitations with any contributions to the same candidate or officeholder by the same recipient committee during the period January 1, 1989 through June 30, 1989. The answer is the same even if the candidate who received the funds has brought forward segregated 1988 funds which include contributions from the same contributor.

4) The committee receiving a contribution does not have to determine if the contributors' sources of funds are in conformity to the contribution limitations of Government Code sections 85301-85305.

If the above information conforms to your understanding of the questions and the answers, please confirm. We are requesting to have an expedited response in order to properly complete semi-annual disclosure requirements and to take such actions as are required or permitted before the end of the fiscal year.

Thank you for your assistance.

Sincerely,



BRUCE W. ROBECK  
Paralegal/Administrator  
Political Reports Unit

BWR:rh



# California Fair Political Practices Commission

June 19, 1989

Bruce W. Robeck  
Paralegal/Administrator  
Political Reports Unit  
Nielsen, Merksamer, Hodgson,  
Parrinello & Mueller  
770 L Street, Suite 800  
Sacramento, CA 95814

Re: Letter No. 89-360

Dear Mr. Robeck:

We received your letter requesting confirmation of advice under the Political Reform Act on June 15, 1989. Your letter has been assigned to Scott Hallabrin for response. If you have any questions, you may contact him directly at (916) 322-5901.

If the letter is appropriate for confirmation without further analysis, we will attempt to expedite our response. A confirming response will be released after it has gone through our approval process. If the letter is not appropriate for this treatment, the staff person assigned to prepare the response will contact you shortly to advise you. In such cases, the normal analysis, review and approval process will be followed.

You should be aware that your letter and our response are public records which may be disclosed to any interested person upon receipt of a proper request for disclosure.

Sincerely,

Kathryn E. Donovan  
General Counsel

KED:plh:confadv1

LAW OFFICES OF  
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TELEPHONE (916) 446-6752

FILE NUMBER

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Chief, Technical Assistance  
and Analysis Division  
Fair Political Practices Division  
428 J Street, Suite 800  
Sacramento, CA 95814

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Sincerely,



BRUCE W. ROBECK  
Paralegal/Administrator  
Political Reports Unit

BWR:rh